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OFFICIAL

June 8, 2004

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**FAX**

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Catherine E. Fienning  
FROM

16  
PAGES (WITH COVER)

5901  
REFERENCE NO

37070/205236  
CLIENT/MATTER NO.

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1. Transmittal Form PTO/SB/21
2. Fee Transmittal Form PTO/SB/17
2. Amendments and Response to Office Action

For:

Applicants: Bell, et al.

USSN: 09/932,538

Title: Calcium Phosphate Particles As Mucosal Adjuvants

Group Art Unit: 1645

Examiner: Zeman, Robert A.

**TO BE COMPLETED BY KS OPERATIONS CENTER**

TRANSMISSION RECEIPT DATE/TIME: \_\_\_\_\_

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PTO/SB/21 (04-04)

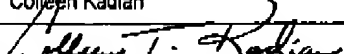
Approved for use through 07/31/2006, OMB 0661-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/932,538
	Filing Date	August 17, 2001
	First Named Inventor	Steve J.D. Bell
	Art Unit	1645
	Examiner Name	Zeman, Robert A.
Total Number of Pages in This Submission	Attorney Docket Number	37070/205236

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Catherine E. Flanning, Registration No. 54,085 Kilpatrick Stockton LLP
Signature	
Date	June 8, 2004

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Typed or printed name	Colleen Kadian	Date	June 8, 2004
Signature			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0

## Complete if Known

Application Number 09/632,536  
Filing Date August 17, 2001  
First Named Inventor Steve J.D. Bell  
Examiner Name Zeman, Robert A.  
Art Unit 1645  
Attorney Docket No. 37070/205236

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
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## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	2001	770	385	Utility filing fee	
1002	2002	340	170	Design filing fee	
1003	2003	530	265	Plant filing fee	
1004	2004	770	385	Reissue filing fee	
1005	2005	160	80	Provisional filing fee	

SUBTOTAL (1)

(\$) 0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20 **	=	0	X	Fee from below	=	0
Independent Claims	-3 **	=	0	X	Fee from below	=	0
Multiple Dependent				X	Fee from below	=	0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	2202	18	9	Claims in excess of 20	
1201	2201	86	43	Independent claims in excess of 3	
1203	2203	260	145	Multiple dependent claim, if not paid	
1204	2204	86	43	** Reissue independent claims over original patent	
1205	2205	18	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	2051	130	65	Surcharge - late filing fee or oath	
1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet	
1053	1053	130	130	Non-English specification	
1812	1812	2,520	2,520	For filing a request for reexamination	
1804	1804	820*	820*	Requesting publication of SIR prior to Examiner action	
1805	1805	1,840*	1,840*	Requesting publication of SIR after Examiner action	
1251	2251	110	55	Extension for reply within first month	
1252	2252	420	210	Extension for reply within second month	
1253	2253	950	475	Extension for reply within third month	
1254	2254	1,480	740	Extension for reply within fourth month	
1255	2255	2,010	1,005	Extension for reply within fifth month	
1401	2401	330	165	Notice of Appeal	
1402	2402	330	165	Filing a brief in support of an appeal	
1403	2403	290	145	Request for oral hearing	
1451	1451	1,510	1,510	Petition to institute a public use proceeding	
1452	2452	110	55	Petition to revive - unavoidable	
1453	2453	1,330	665	Petition to revive - unintentional	
1501	2501	1,330	665	Utility issue fee (or reissue)	
1502	2502	480	240	Design issue fee	
1503	2503	640	320	Plant issue fee	
1480	1480	130	130	Petitions to the Commissioner	
1807	1807	50	50	Processing fee under 37 CFR 1.17 (q)	
1806	1806	180	180	Submission of Information Disclosure Sheet	
8021	8021	40	40	Recording each patent assignment per property (times number of properties)	
1809	2809	770	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	2810	770	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	2801	770	385	Request for Continued Examination (RCE)	
1802	1802	900	900	Request for expedited examination of a design application	


Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 0

## SUBMITTED BY

Name (Print/Type)	Catherine E. Finning	Registration No. (Attorney/Agent)	54,095	Telephone	404-532-6938
Signature		Date	June 8, 2004		

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JUN 08 2004

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Bell, et al.

SERIAL NO.: 09/932,538

GROUP ART UNIT: 1645

FILED: August 17, 2001

EXAMINER: Zeman, R.

FOR: CALCIUM PHOSPHATE PARTICLES AS MUCOSAL ADJUVANTS

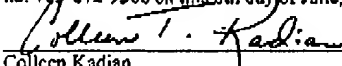
DATE:

Attorney Docket No.: 37070/205236

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Colleen Kadian

## AMENDMENTS AND RESPONSE TO OFFICE ACTION

Sir:

This paper responds to the Office Action mailed April 7, 2004 in the above-identified patent application.

**Amendments in the Specification** begin on page 2.

**Amendments to the Claims** are shown in the listing of claims which begin on page 3.

**Amendments to the Drawings** are shown on page 7.

**Remarks** begin on page 8.

**Conclusion** begins on page 13.